

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

16

Application No.	10/647,268
Filing Date	August 20, 2003
First Named Inventor	Teruko Osumi et al.
Art Unit	1642
Examiners Name	Not yet assigned

Attorney Docket Number

0155.02

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts /Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawings
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

- After Allowance Communication to Technology Center (TC)
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s):

Other Enclosures:

1. Copy of Utility Patent Application Transmittal originally submitted August 20, 2003
2. Copy of Return Post Card Receipt originally submitted August 20, 2003
3. A duly executed Declaration in compliance with 37 CFR § 1.63, which identifies the application by the Application Number and Filing Date set for in the Notice;(1 page) and
4. A duly executed Power of Attorney or Authorization of Agent (4 pages); and
5. Computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the CRF is identical to the written sequence listing and includes no new matter.
6. Return copy of the Notice to File Missing Parts

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name

Margaret A. Connor

Signature

A handwritten signature in cursive script that reads 'Margaret A. Connor'.

Date

July 19, 2004

Certificate of Mailing by Express Mail

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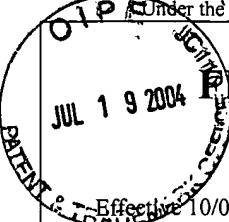
Margaret A. Connor

Signature

A handwritten signature in cursive script that reads 'Margaret A. Connor'.

Date: July 19, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 EE TRANSMITTAL FY04 <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>		Complete if Known																																																																																																																																					
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The Commissioner is hereby authorized to charge any fees set forth in CFR §§ 1.116 to 1.118 to the Deposit Account listed below for the entire pendency of the application, or credit any overpayment to this account. A duplicate copy of this sheet is enclosed: Deposit Account No. 50-2135 Deposit Account Name: USDA, ARS, OTT Patent Advisor		3. ADDITIONAL FEES Large Entity: <table border="1"> <tr> <td>Code</td> <td>Fee (\$)</td> <td>Fee Description</td> <td>Fee Paid</td> </tr> <tr> <td>1051</td> <td>130</td> <td>Surcharge-Late filing fee or oath</td> <td>130.00</td> </tr> <tr> <td>1052</td> <td>50</td> <td>Surcharge-late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>Non-English Specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>420</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>950</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>330</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>Petition to revive – unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,330</td> <td>Petition to revive – unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>480</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>640</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> <td></td> </tr> <tr> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>770</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>770</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>770</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4"> Other fee (specify): * Reduced by basic filing fee paid </td> </tr> <tr> <td colspan="2"></td> <td>Subtotal (3)</td> <td>\$ 130.00</td> </tr> <tr> <td colspan="4"> SUBMITTED BY </td> </tr> <tr> <td colspan="2"> Name (Print/Type): Margaret A. Connor </td> <td> Registration No. 30,043 (Attorney/Agent) </td> <td> Telephone: 510-559-6067 or 510-527-1418 Date: July 19, 2004 </td> </tr> </table>		Code	Fee (\$)	Fee Description	Fee Paid	1051	130	Surcharge-Late filing fee or oath	130.00	1052	50	Surcharge-late provisional filing fee or cover sheet		1053	130	Non-English Specification		1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	Extension for reply within first month		1252	420	Extension for reply within second month		1253	950	Extension for reply within third month		1254	1,480	Extension for reply within fourth month		1255	2,010	Extension for reply within fifth month		1401	330	Notice of Appeal		1402	330	Filing a brief in support of an appeal		1403	290	Request for oral hearing		1451	1,510	Petition to institute a public use proceeding		1452	110	Petition to revive – unavoidable		1453	1,330	Petition to revive – unintentional		1501	1,330	Utility issue fee (or reissue)		1502	480	Design issue fee		1503	640	Plant issue fee		1460	130	Petitions to the Commissioner		1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	Submission of Information Disclosure Statement		8021	40	Recording each patent assignment per property (times number of properties)		1809	770	Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	For each additional invention to be examined (37 CFR 1.129(b))		1801	770	Request for Continued Examination (RCE)		1802	900	Request for expedited examination of a design application		Other fee (specify): * Reduced by basic filing fee paid						Subtotal (3)	\$ 130.00	SUBMITTED BY				Name (Print/Type): Margaret A. 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Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Appl. No. 10/647,268
Reply Dated July 19, 2004
Reply to Notice to File Missing Parts dated May 21, 2004

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Date: July 19, 2004

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Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Depositor's Name: Margaret A. Connor

Depositor's Signature: *Margaret A. Connor*

Appl. No. : 10/647,268 Confirmation No. 2068

Applicant : Teruko Osumi et al.

Filed : August 20, 2003

TC/A.U. : 1642

Examiner : Not yet assigned

Docket No. : 0155.02

Customer No. : 25278

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REPLY TO NOTICE TO FILE MISSING PARTS
WITH SEQUENCE REQUIREMENTS

Sir:

This responsive to the Notice of the Patent and Trademark Office dated May 21, 2004 to file missing parts.

Enclosed herewith are:

1. A duly executed Declaration in compliance with 37 CFR § 1.63, which identifies the application by the Application Number and Filing Date set for in the Notice; and
2. A duly executed Power of Attorney or Authorization of Agent; and
3. Computer readable form (CRF) copy of the "Sequence Listing" and a statement

Appl. No. 10/647,268
Reply Dated July 19, 2004
Reply to Notice to File Missing Parts dated May 21, 2004

that the content of the CRF is identical to the written sequence listing and includes no new matter.

4. Return copy of the Notice to File Missing

REMARKS

The Notice to File Missing Parts states that a copy of the Sequence Listing in computer readable form has not been submitted. To expedite examination of the subject application, applicants enclose herewith a computer readable form (CRF) copy of the "Sequence Listing" and statement that the content of the paper sequence listing submitted August 20, 2003 and the computer readable copy submitted herewith are the same and include no new matter. As shown by the enclosed copy of the Utility Patent Application Transmittal and return post card receipt, applicants did submit the sequence listing in computer readable form (CRF) when the instant application was filed on August 20, 2003.

FEE AUTHORIZATION

The Commissioner is hereby authorized to charge the required surcharge of \$130.00 to Deposit Account No. 50-2135. The Commissioner is also authorized to charge Deposit Account No. 50-2135 for any additional fees necessitated by the filing of these documents. If the Missing Parts Personnel have any questions or comments, the undersigned attorney earnestly requests a telephone conference.

Respectfully submitted,

Margaret A. Connor

MARGARET A. CONNOR
Attorney of Record
Registration No. 30,043

Telephone: (510) 527-1418 or (510) 559-6067

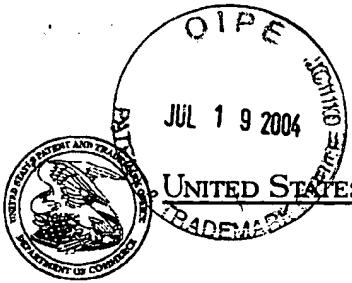
Appl. No. 10/647,268
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Enclosures

FY2004 Fee Transmittal (2 pages)
Return Copy of Notice to File Missing Parts
Executed Declaration (1 page)
Executed Power of Attorney or Authorization of Agent (4 pages)
Computer Readable Form (CRF) copy of Sequence Listing
Statement of Sequence Correspondence
Postcard Receipt

Accompanying Documents

Copy of Utility Patent Application Transmittal originally submitted August 20, 2003
Copy of Return Post Card Receipt originally submitted August 20, 2003



07-21-04

Page 1 of 2

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UNITED STATES DEPARTMENT OF COMMERCE
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/647,268	08/20/2003	Teruko Osumi	0155.02

25278
USDA-ARS-OFFICE OF TECHNOLOGY TRANSFER
PATENT ADVISORS OFFICE
WESTERN REGIONAL RESEARCH CENTER
800 BUCHANAN ST
ALBANY, CA 94710

CONFIRMATION NO. 2068

FORMALITIES LETTER



OC00000012735547

Date Mailed: 05/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

Z. Araya

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Initial Patent Examination Division (703) 308-1202
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